

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR

MONDAY, THE 23RD JULY 2007 / 1ST SRAVANA 1929

WP(C).No. 12319 of 2007(N)

PETITIONER:

T.ALPHONSA, SECRETARY,
PATTUVAM GRAMA PANCHAYATH, PATTUVAM,
KANNUR DISTRICT.

BY ADV. SRI.M.SASINDRAN
SRI.TOJAN J. VATHIKULAM

RESPONDENTS:

1. STATE OF KERALA,
REPRESENTED BY SECRETARY TO GOVERNMENT,
LOCAL SELF GOVERNMENT DEPARTMENT,
THIRUVANANTHAPURAM.
2. THE DIRECTOR OF PANCHAYATHS,
THIRUVANANTHAPURAM.
3. DEPUTY DIRECTOR OF PANCHAYATHS,
KANNUR.

BY GOVERNMENT PLEADER SRI.BIJOY CHANDRAN.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 23/07/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

K.BALAKRISHNAN NAIR, J.

W.P.(C) No. 12319 of 2007-N

Dated this the 23rd day of July, 2007.

J U D G M E N T

The petitioner is the Secretary of Pattuvam Grama Panchayat. Feeling aggrieved by the assigned date of promotion to the cadre of Upper Division Clerk, this writ petition is filed. Her claim in this regard has been considered and rejected by the Director of Panchayat, by Ext.P4 order. The petitioner was promoted as Upper Division Clerk on temporary basis on 7-12-1987, having regard to her seniority and also taking note of the temporary exemption available from passing obligatory test. The period of exemption expired by May, 1989. But, the petitioner acquired test qualification only in June, 1990. So, the petitioner could have been reverted by May, 1989 and thereafter promoted by June, 1990. But, she has been reverted only on 19-3-1990 and on the very same day she has been promoted also. She has been assigned seniority with effect from 19-3-1990. But, the petitioner dissatisfied with the said assignment of seniority represented against it. I think, the claim of the petitioner, going by the facts of the case, is plainly unsustainable. Therefore, the challenge against Ext.P4 and the consequential reliefs sought cannot be granted.

In the result, the Writ Petition fails, and it is dismissed.

K.BALAKRISHNAN NAIR,
JUDGE.

MS